

ADAMS, J.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

BENJAMIN DIXON,)	CASE NO. 1:06CV0069
)	
Petitioner,)	
)	JUDGE JOHN R. ADAMS
v.)	
)	<u>MEMORANDUM OF OPINION</u>
STUART FRIEDMAN, et al.,)	<u>AND ORDER RE: DISMISSING</u>
)	<u>PETITIONER'S APPLICATION FOR</u>
Respondents.)	<u>WRIT OF HABEAS CORPUS</u>

Benjamin Dixon filed a Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254, alleging one ground for relief which challenges the constitutional sufficiency of his conviction for assault on a police officer in violation of Ohio Rev. Code § 2903.13.

On January 18, 2006, the case was referred to Magistrate Judge William H. Baughman, Jr. for preparation of a report and recommendation pursuant to 28 U.S.C. § 636 and Local Rule 72.2(b)(2). *See* Order (Doc. 6). On April 18, 2006, the Magistrate Judge submitted a Report & Recommendation (Doc. 8) recommending that the petition be dismissed for lack of jurisdiction.

Fed. R. Civ. P. 72(b) provides that objections to a report and recommendation must be filed within ten (10) days after service, but neither party has filed any such objections. Therefore, the Court must assume that the parties are satisfied with the Magistrate Judge's recommendation. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140

(1985); *Howard v. Secretary of Health and Human Services*, 932 F.2d 505 (6th Cir. 1991);
United States v. Walters, 638 F.2d 947, 949-50 (6th Cir. 1981).

Accordingly, the Report and Recommendation of the Magistrate Judge is hereby adopted.
Benjamin Dixon's Petition for a Writ of Habeas Corpus will be dismissed.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision
could not be taken in good faith, and that there is no basis upon which to issue a certificate of
appealability. 28 U.S.C. §2253(c); Fed. R. App. P. 22(b).

IT IS SO ORDERED.

May 16, 2006
Date

/s/ John R. Adams
John R. Adams
U.S. District Judge